

REMARKS

The drawings were objected to for failing to show every feature of the invention specified in the claims. Claims 1,3,6,48 and 50 were rejected under 35 USC 112, second paragraph as being indefinite for use of the phrase "rotationally fixed way". Claims 1, 46 and 48 were rejected under 35 USC 102(b) as being anticipated by Green (660,570). Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Green in view of Bogner (6,648,783). Claim 50 was rejected under 35 USC 103(a) as being unpatentable over Green in view of JP (06-159-459). Claims 2, 4-8 were deemed allowable if rewritten to overcome the 35 USC 112, second paragraph rejection.

Objection to the Drawings

The drawings were objected to for failing to show "the torsion spring assembly adapted to be clamped axially... into a rack." The Examiner objects to the drawings for failing to show a rack. The Applicant respectfully traverses this objection and calls the Examiner to the language of the claim. The term "rack" is not an element of the claim. The claim limitation is "adapted to be clamped on a rack". The "rack" is not an element of the claimed invention. Rather it merely describes the adaptation of the torsion spring. Similarly, a keychain adapted to float on water does not affirmatively claim water, but it rather describes in a well understood methodology the physical characteristics of the keychain. Reconsideration is formally requested. It should be understood, however, that amendments to the claim have been proposed with this response that may eliminate the need for reconsideration.

Claims Rejected under 35 U.S.C. §112, second paragraph

Claims 1, 3, 6, 48 and 50 were rejected under 35 USC 112, second paragraph for being indefinite due to the phrase "rotationally fixed way". The Applicant respectfully traverses this rejection and seeks reconsideration in light of the aforementioned amendments and the following arguments. The Applicant respectfully asserts that the term "rotationally fixed way" is well known and understood in virtually every field of engineering as meaning "fixed with respect to rotation". The Applicant asserts that this

limitation is clear and unmistakable and reconsideration is requested. There is no ambiguity to the terminology or its usage in the claim and it is being used in its literal meaning. The Applicant has proposed amending language to remove this limitation, however, in order to simplify any remaining hurdles to issuance.

In addition, it was unclear to the Examiner what the difference between the torsion assembly and the torsion bar or torsion tub. The Applicant has respectfully amended the claims to remove the Examiner's confusion. Reconsideration is requested.

Claims Rejected under 35 U.S.C. §102(b) / 103(a)

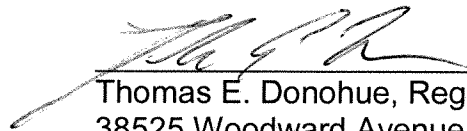
Claims 1, 46, 48, 3 and 50 were rejected under 35 USC 102(b) and 103 respectively. The Applicant respectfully traverses this rejection and incorporates by reference arguments in support from the previous office action. However, in a bid to facilitate prosecution, the Applicant has respectfully amended claim 2 to be both independent and to remove any possible 112 ambiguities. The remaining dependent claims have been amended to be dependent on claim 2 as an independent claim. The Applicant, therefore, submits that all remaining claims are in condition for allowance as recognized by the Examiner in the office action to which this response is directed.

Conclusion

Having overcome all of the objections and rejections set forth in the Office Action, Applicants submit that claims 2-8 and 46, are in a condition for allowance. A Notice of Allowance indicating the same is therefore earnestly solicited. The Examiner is invited to telephone the Applicants' undersigned attorney at (248) 433-7221 if any unresolved matters remain.

Respectfully submitted,

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